

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **FEBRUARY 10, 2010**

Committee Members Present:

Supervisors Thomas
Kenny
VanNess
Belden
Goodspeed
Sokol
Merlino
Strainer
Conover

Others Present:

Fred Monroe, Chairman of the Board
Joan Sady, Clerk of the Board
JoAnn McKinstry, Deputy Commissioner of
Administrative & Fiscal Services
Paul Dusek, County Attorney
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor McCoy
Supervisor McDevitt
Supervisor Pitkin
Supervisor Stec
Supervisor Taylor
Kathy Barrie, Personnel Officer
Todd Lunt, Director, Human Resources
Frank O'Keefe, Treasurer
Pat Auer, Director of Public Health
Pam Vogel, County Clerk
Barbara Taggart, Administrator,
Westmount Health Facility
William Lamy, DPW Superintendent
Don DeGraw, Airport Manager
Julie Pacyna, Purchasing Agent
Sheila Weaver, Commissioner, Department
of Social Services
Shane Ross, Chief Deputy
Michael Gates, Captain of Corrections
Bill Montfort, Commissioner, Board of
Elections
Connie Farrington, Warren County resident
Don Lehman, *The Post Star*
Nicole Livingston, Deputy Clerk

Mr. Thomas called the Personnel Committee meeting to order at 9:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to approve the minutes of the January 15, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Thomas apprised Items 1A through C were referrals from the County Clerk-Motor Vehicles Committee. He stated that Item 1A was a request to fill the vacant position of Recording Clerk, base salary of \$28,532, Grade 7, Employee No. 10875, due to resignation. He added that Item 1B was a request to fill the vacant position of Senior Recording Clerk, base salary of \$31,957, Grade 10, Employee No. 9755, due to retirement. He noted that Item 1C was a request to fill the vacant position of Assistant Records Manager, base salary of \$29,710, Grade 8, Employee No. 10044, due to promotion.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Items 1A through C as outlined above and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas said Item 2 was a referral from the County Facilities Committee, requesting to fill the vacant position of Cleaner, base salary of \$23,298, Grade 2, due to retirement.

Motion was made by Mr. VanNess, seconded by Mr. Strainer and carried unanimously to approve Item 2 as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

William Lamy, DPW Superintendent, requested to address the Committee concerning additional matters. He explained that there were currently two Cleaners that were out of work with long term medical issues and questioned if approval from the Personnel Committee was necessary to fill these two positions on a temporary basis.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Mr. Belden asked if Mr. Lamy knew when the two Cleaners would be returning to work and Mr. Lamy replied in the negative. Mr. Lamy clarified that the temporary help would be part-time and would have no benefits associated with the positions.

Mr. Thomas called the question and the motion was carried unanimously to approve the request to hire two temporary Cleaners as outlined above.

Mr. Thomas asserted Items 3A through E were referrals from the Health Services Committee. He remarked that Item 3A was referred from the Health Services, requesting authorization for Patricia Belden, Public Health Nurse, to enroll in a job related course entitled "Introduction to Family & Community Health" at the Albany School of Public Health. He noted that Ms. Belden had received a full scholarship for the courses and is only requesting reimbursement for the necessary books.

Motion was made by Mr. Sokol, seconded by Mr. Goodspeed and carried unanimously to approve Item 3A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Items 3B and C were referred from the Westmount Health Facility. He stated that Item 3B was a request to fill the vacant position of Leisure Time Activity Aide, base salary of \$14,034 plus shift differential, Employee No. 10827, due to resignation.

Motion was made by Mr. Sokol, seconded by Mr. VanNess and carried unanimously to approve Item 3B as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

He added that Item 3C was a request to reclassify the position of Assistant Director of Nursing, base salary of \$48,701 to the position of MDS (Minimum Data Set) Coordinator, base salary of \$48,701, due to the restructuring of responsibilities; thereby amending the Department's Table of Organization.

Motion was made by Mr. Sokol and seconded by Mr. Kenny to approve the request as presented.

Mr. Sokol explained that this position previously had a base salary of \$58,701 and was reduced during the budget process to the base salary of \$48,701; thereby realizing a savings to the County of \$10,000.

Mr. Kenny questioned if the Facility could continue to operate efficiently without the position of Assistant Director of Nursing (ADON). Barbara Taggart, Administrator of the Westmount Health Facility, clarified that the reclassification would only change the title of the position and the duties of the ADON would be performed by the MDS Coordinator. Mr. Kenny asked if this reclassification was allowable under the rules and regulations for the Facility and Ms. Taggart replied affirmatively.

Following the discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 3C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Items 3D and E were referred from the Countryside Adult Home. He said Item 3D was a request to fill the vacant position of Director, base salary of \$55,275, Employee No. 10872, due to resignation. He noted that a copy of the job description was attached for review, a copy of same is on file with the minutes.

Motion was made by Mr. VanNess and seconded by Mr. Kenny to approve the request as presented.

Mr. VanNess expressed his desire to continue exploring the possibility of privatizing the Facility. Joan Sady, Clerk of the Board, advised that the process was continuing with regard to privatizing Countryside Adult Home. She stated that a subcommittee would be developed to further explore the possibility and in the interim, a Director would need be appointed until a decision was made. Chairman Monroe added that he had been contacted by a company that may be interested in purchasing the Countryside Adult Home and they would be addressing the Board of Supervisors at the next board meeting. Mr. Belden referred to the base salary listed for the position and expressed his concern with it. Mrs. Sady apprised that the Committee would set the salary for the position and noted that a handout had been distributed comparing the salary of said position to a similar position in other counties that had adult care facilities, a copy of which is on file with the minutes.

Mr. VanNess amended his motion to include a salary range of \$43,000 to \$48,000 for the position of Director of Countryside Adult Home and Mr. Kenny amended his second to the motion.

Todd Lunt, Director of Human Resources, added that the position would be posted as an Interim position pending the outcome of the research to privatize the Facility and added that there were internal candidates that had expressed an interest in the position. He noted that he would like to be able to offer to the internal candidates that they could return to their former position if the Facility was privatized.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve the request to fill the vacant position of Director of Countryside Adult Home, with a salary range of \$43,000 to \$48,000 depending on experience, to be effective on or after March 1, 2010. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas remarked that Item 3E was discussion regarding Committee restructuring of Countryside Adult Home from Health Services to Social Services. Mr. Thomas added that the departmental budget for Countryside Adult Home was part of the Social Services budget.

Sheila Weaver, Commissioner of the Department of Social Services, explained that part of the Social Services regulation was that the Countryside Adult Home be under the direction of the Department of Social Services.

Motion was made by Mr. Goodspeed, seconded by Mr. Belden and carried unanimously to approve Item 3E as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas announced that Items 4A through C were referrals from the Human Services Committee, Office for the Aging. He said Item 4A was a request to fill the vacant position of Director, base salary of \$52,000, Employee No. 1258, due to

retirement.

Motion was made by Mr. Strainer, seconded by Mr. Kenny and carried unanimously to approve Item 4A as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added that Item 4B was a request to fill the part-time position of Food Service Helper, 35 hours per week, base salary of \$23,298 (pro-rated to 35 hours), Grade 2, Employee No. 10355, due to resignation. He noted that Item 4C was a request to fill the part-time position of Food Service Helper, 30 hours per week, base salary of \$23,298 (pro-rated to 30 hours), Grade 2, Employee No. 11264, due to promotion.

Motion was made by Mr. Strainer, seconded by Mr. Belden and carried unanimously to approve Items 4B and C as outlined above, and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas apprised Items 5A through C were referrals from the Public Works Committee, DPW. He reported that Item 5A was a request to decrease the salary of the Deputy Superintendent from the former base salary of \$11,891 to the current base salary of \$0 to reflect the position in the Salary Schedule as unfunded; thereby amending the Department's Table of Organization. He stated Item 5B was a request to create the position of Deputy Superintendent of Operations, base salary of \$69,894 and deleting the position of Highway Manager, base salary of \$55,303; thereby amending the Department's Table of Organization.

Motion was made by Mr. Belden and seconded by Mr. Sokol to approve Items 5A and B as presented.

Mr. Lamy asserted that the Deputy Superintendent had announced his retirement date and the requests that were presented would be the first step in a process of reorganizing the supervisory positions within the Department due to additional retirements that would take place throughout the year. Mr. Lamy distributed an organization chart for the Department of Public Works to the Committee members for review, a copy of which is on file with the minutes. He reviewed the handout in detail. He concluded that following the reorganization of the Department, there would be an estimated savings of \$30,000 to \$35,000.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Items 5A and B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas noted that Item 5C was a request to fill the vacant position of Deputy

Superintendent of Operations, base salary of \$69,894, due to creation.

Motion was made by Mr. Strainer, seconded by Mr. VanNess and carried unanimously to approve Item 5C as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas asserted that Items 6A through N were referrals from the Social Services Committee. He said Item 6A was a request to abolish the position of Investigations Coordinator, base salary of \$43,703, Employee No. 5629, due to a promotion; thereby amending the Department's Table of Organization.

Motion was made by Mr. VanNess and seconded by Mr. Conover to approve the request as presented.

Ms. Weaver explained that the request to abolish the position of Investigations Coordinator was resultant of the creation of the position of Director of Child Support Enforcement and Fraud, and the combining of those two units through the reorganization of the Department.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added that Item 6B was a request to create the position of Medicaid Clerk, base salary of \$25,916, Grade 5 and to delete the position of Social Welfare Examiner, base salary of \$33,678; thereby amending the Department's Table of Organization.

Motion was made by Mr. Belden and seconded by Mr. Sokol to approve Items 6B through N as presented. Mr. Thomas listed the requests as follows:

- C) Request to fill the vacant position of Medicaid Clerk, base salary of \$25,916, Grade 5, due to creation.
- D) Request to fill the vacant position of Intake Clerk, base salary of \$24,908, Grade 4, due to promotion.
- E) Request to fill the vacant position of Keyboard Specialist, base salary of \$23,799, Grade 3, due to promotion.
- F) Request to fill the vacant position of Keyboard Specialist, base salary of \$23,799, Grade 3, Employee No. 11464, due to resignation.
- G) Request to fill the vacant position of Senior Caseworker, base salary of \$35,784, Grade 15, Employee No. 7007, due to resignation.
- H) Request to fill the vacant position of Caseworker, base salary of \$34,776, Grade 14, due to promotion.
- I) Request to fill the vacant position of Support Investigator, base salary of \$29,710, Grade 8, Employee No. 11552, due to resignation.
- J) Request to fill the vacant position of Account Clerk, base salary of \$24,908, Grade 4, Employee No. 7195, due to retirement.

- K) Request to fill the vacant position of Community Service Assistant, base salary of \$29,710, Grade 8, Employee No. 11394, due to termination.
- L) Request to fill the vacant position of Social Welfare Examiner, base salary of \$29,710, Grade 8, due to resignation.
- M) Request to fill the vacant position of Caseworker, base salary of \$34,776, Grade 14, Employee No. 11050, due to resignation.
- N) Request to fill the vacant position of Keyboard Specialist, base salary of \$23,799, Grade 3, Employee No. 11062, due to resignation.

In response to an inquiry, Ms. Weaver said that Item 6B was not part of the original reorganization of the Department. She noted that the position was 100% funded under the Medicaid cap. Mr. VanNess asked if there were any new positions being created other than the Medicaid Clerk as requested in Item 6B and Ms. Weaver responded in the negative, noting that all of the remaining requests were to fill vacant positions. Discussion ensued.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Items 6B through N as outlined above, and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Continuing the Agenda review, Mr. Thomas announced Item 7 was discussion concerning the creation of the position of Keyboard Specialist, base salary of \$23,799, Grade 3. He stated that he recalled previous discussions about this and it was thought that it could be a floater position that various departments could utilize. He noted that Veterans' Service could use this assistance. He added that he believed the position should be supervised by the Clerk of the Board's Office. Mrs. Sady interjected that the position would need to be funded by the General Fund for the remainder of the year. Discussion ensued. Mr. Kenny and Mr. Stec voiced their opposition to creating a new position. Mr. Thomas suggested identifying a current employee that could assume these types of duties. Following discussions, it was proposed that the employee that currently works the Information Desk for eighteen hours per week could be utilized in the Veterans' Service Department for a short period of time. Mrs. Sady acknowledged the proposal and noted that she would meet with the aforementioned employee to discuss this scenario.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to table action on Item 7, the request to create the position of Keyboard Specialist.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to explore the possibility of utilizing current employees to assist with the operations in Veterans' Service, with zero impact to the budget.

Mr. Thomas advised Item 8 was discussion regarding the implementation of a half hour lunch break for all non-bargaining unit employees.

Mr. Kenny recommended that whichever direction the Committee chose to explore, the policy should be the same for all employees. Mr. Thomas suggested that the matter be returned to the Committee next month for further discussion.

Mr. Thomas announced Item 9 was discussion of the position of Commissioner of Administrative & Fiscal Services. Chairman Monroe asserted that when the former Commissioner of Administrative & Fiscal Services retired, the board members had decided to leave the position vacant. He noted that he had requested Mrs. Sady and JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, to assume additional duties until a decision was made concerning the position. His concern, he added, was that there had not been any authority given to either Mrs. Sady or Mrs. McKinstry to implement the duties and responsibilities of the Commissioner of Administrative & Fiscal Services, or any compensation for the same. Chairman Monroe expressed the desire to develop a long term plan for the position, as well as a short term plan for the interim. Discussion ensued. Chairman Monroe requested that an executive session be declared to continue conversations regarding this matter.

Chairman Monroe referred to the Republican caucus that was held recently and the controversy surrounding such and he recommended that it be discussed today. Mr. Kenny expressed his disdain with the caucus that was held to discuss a personnel issue. He opined that discussions held during a caucus usually became decisions that were not open for debate following a caucus and he strongly disagreed with that practice. Many Supervisors voiced their opinions with regard to the aforementioned caucus. Paul Dusek, County Attorney, affirmed that it was legal for any party to hold a caucus.

Returning to the discussion of the position of Commissioner of Administrative & Fiscal Services, Mr. Kenny reiterated Mr. Strainer's question, which was if there were things that were not being done in the County that needed to be and if so, what were they. Mr. Kenny added his opinion that a part-time individual be considered for this position, as well. Mr. Strainer questioned the need to re-introduce the Commissioner position as it appeared Mrs. Sady and Mrs. McKinstry had been doing a good job of addressing the additional duties transferred to them. Mr. Merlino agreed with Mr. Strainer's statement and suggested that the Budget Officer and the County Treasurer be involved with the duties that Mrs. Sady and Mrs. McKinstry had absorbed, thereby forming an administrative team to run the County and eliminating the need to fund the salary of the Commissioner position. He added that by proceeding in this manner they would also be avoiding any political ties to a specific position.

Mr. Taylor noted there were issues occurring with Department Heads making independent decisions that would have previously required the Commissioner's approval and he felt that Mrs. Sady and Mrs. McKinstry should be given the appropriate administrative authority to ensure that the proper review and approval procedures were being implemented. In addition, he stated that both Mrs. Sady and Mrs. McKinstry should be compensated commensurate with the additional duties and responsibilities they had assumed. Furthermore, Mr. Taylor suggested that Chairman Monroe appoint an exploratory Committee to research and determine whether it was

better to re-introduce the Commissioner position or to continue with the current staffing arrangement.

Mr. Goodspeed stated that Mrs. Sady and Mrs. McKinstry had been working in difficult circumstances considering the current budget situation and had exceeded the duties expected of them, sometimes working 60 hour weeks during the development of the 2010 Budget. He said that even if the Board determined it was appropriate to reintroduce the Commissioner position, someone would have to fill the duties associated with the position until a final decision was made; he added that because it appeared Mrs. Sady and Mrs. McKinstry would continue to perform these duties, he felt it was appropriate to compensate them for the additional work they had been doing. Mr. Goodspeed stated his opinion that anyone chosen to potentially fill the Commissioner position, or provide the associated duties in an alternate manner, should be chosen without political affiliation and based on professionalism. He said that he did not support the reintroduction of the Commissioner position as it was previously, but rather with an altered job description that would better suit the needs of the County. Mr. Goodspeed noted that if they continued to do business as they were currently, the County would not be able to regain the momentum necessary to attack the issues faced and he said he believed that a strong Commissioner would allow for these opportunities.

Mr. Conover stated his opinion that someone needed to be in charge of the County's operations and fill the duties associated with the Commissioner position. He added that if Mrs. Sady was to continue providing for these responsibilities, she should be given the proper authorities and all of the Department Heads should be notified. Mr. Conover cautioned that whomever assumed these duties would also be accepting responsibility for answering to the Board of Supervisors when matters within their control went awry. Mr. VanNess agreed, adding that although the County was functioning efficiently now, he felt that a clear point of authority was needed not only for staffing purposes, but also to answer to the Board when issues arose and to potentially be held responsible. He said that Mrs. Sady and Mrs. McKinstry were doing an exemplary job with the duties they had assumed and he felt that re-titling, extension of authority and salary compensation should be considered for both in order to meet the needs of the County until a final decision was made as to the Commissioner position.

Motion was made by Mr. Conover, seconded by Mr. VanNess and carried unanimously to authorize the Clerk of the Board to assume the authority of the Commissioner of Administrative & Fiscal Services, for a short-term, and to provide compensation for such, said compensation to be determined by the Labor Management Negotiating Committee.

Mr. Thomas remarked that Item 10 was a request from Todd Lunt, Director of Human Resources, to address the Committee regarding Family Sick Leave, said provision was part of each labor agreement, as well as rules for non-bargaining unit employees and had a sunset date of December 31, 2009.

Mr. Lunt apprised that this allowed employees to utilize sick time for an immediate family member, up to five days in any calendar year. He noted that the Unions had approached him and requested that this be considered again. He requested that the Committee authorize a written agreement with the Unions, as well as the rules for non-bargaining unit employees, to include the benefit of Family Sick Leave.

Mr. Dusek interjected that this matter did concern collective bargaining negotiations and he recommended that further discussions be held in an executive session. He added that he had another collective bargaining matter to be discussed, as well.

Motion was made by Mr. Conover, seconded by Mr. Sokol and carried unanimously that executive session be declared pursuant to Section 105 (e) of the Public Officers Law.

Executive session was declared from 10:44 a.m. to 11:40 a.m.

Committee reconvened. Mr. Dusek asserted that there were two new proposals for Unions in the County, one for the Warren County Correctional Supervisors Association and the other one for the Warren County Police Supervisors Benevolent Association. He explained that he recommended the Board opt to not recognize these units based on the fact that they included managerial, confidential positions.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to authorize a letter objecting to the formation of Unions based on the inclusion of managerial, confidential positions in the new Unions.

Mr. Lunt stated he had an additional matter to present to the Committee. He said he had an item included on the Finance Agenda to authorize a transfer of funds in the amount of \$25,000 to pay for the contract administration of EBS RMSCO, which handled the reimbursement of co-pays for specialists.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to approve the request for a transfer of funds as outlined above, and to refer same to the Finance Committee.

Mr. VanNess expressed his concern with the salary of the Stockroom Clerk position and he requested that this be discussed further. Discussion ensued. Following discussions, it was the consensus of the Committee that the matter be reviewed by the Labor Management Negotiating Committee.

Mr. Strainer questioned who the members of the Labor Management Negotiating Committee were and Mrs. Sady replied the Committee was comprised of the Chairman of the Board, the Chairman of the Finance Committee, the County Attorney and the Administrator. Chairman Monroe requested that the Budget Officer be added to the Committee. Mrs. Sady acknowledged the request. *(Note: Subsequent to the meeting the Clerk of the Board corrected the members of the aforementioned Committee to be Chairman Monroe, Supervisors Stec and Conover, effective January 5, 2010.)*

There being no further business to come before the Committee, on motion made by Mr. Kenny and seconded by Mr. Merlino, Mr. Thomas adjourned the meeting at 11:48 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk